

INDEX-DIGEST

Administrative Law	
DEATH BY TEXTUALISM: THE NLRB's "INCIDENTAL TO PATIENT CARE" SUPERVISORY STATUS TEST FOR CHARGE NURSES	575
Attorney Attributes	
LAWYER, KNOW THYSELF: A REVIEW OF EMPIRICAL RESEARCH ON ATTORNEY ATTRIBUTES BEARING ON PROFESSIONALISM	1337
Civil Forfeiture	
UNITED STATES v. URSEY: DRUG OFFENDERS FORFEIT THEIR FIFTH AMENDMENT RIGHTS	1207
Class Action Settlements	
THE THEORY OF FEE REGULATION IN CLASS ACTION SETTLEMENTS	1429
Contracts	
THE MEANING OF VALUE IN CONTRACT DAMAGES AND CONTRACT THEORY	1
Copyright	
PRIVILEGED USE: HAS JUDGE BOUDIN SUGGESTED A Viable MEANS OF COPYRIGHT PROTECTION FOR THE NONLITERAL ASPECTS OF COMPUTER SOFTWARE IN <i>LOTUS DEVELOPMENT CORP. v. BORLAND INTERNATIONAL</i> ?	149
Drug Courier Profile	
THE DRUG COURIER PROFILE: IN PLANES, TRAINS, AND AUTOMOBILES; AND NOW IN THE JURY BOX	747
EEOC	
GRASPING THE INTANGIBLE: A GUIDE TO ASSESSING NONPECUNIARY DAMAGES IN THE EEOC ADMINISTRATIVE PROCESS	189
Electronic Cash	
STORED VALUE CARDS AND THE CONSUMER: THE NEED FOR REGULATION	1027
PIRACY, PRIVACY, AND PRIVATIZATION: FICTIONAL AND LEGAL APPROACHES TO THE ELECTRONIC FUTURE OF CASH	961
1996: SURVEY OF THE YEAR'S DEVELOPMENTS IN ELECTRONIC CASH AND THE LAWS AFFECTING ELECTRONIC BANKING IN THE UNITED STATES ..	
967	
How to Make a Mint: The Cryptography of Anonymous Electronic Cash ..	
1131	
How to Regulate Electronic Cash: An Overview of Regulatory Issues and Strategies ..	
1163	
Electronic Stored Value Payment Systems, Market Position, and Regulatory Issues ..	
1177	
Why Regulate Cybermoney? ..	
1075	
How Best to Guide the Evolution of Electronic Currency Law? ..	
1105	
Environmental Law	
Do Isolated Wetlands Substantially Affect Interstate Commerce? ..	
931	
Federal Circuit	
Government Contract Cases in the United States Court of Appeals for the Federal Circuit: 1996 in Review ..	
1807	
Native Americans and the Vaccine Act: Excluding Those We Found Here ..	
1935	
Patent Claim Interpretation After <i>Markman</i>: How the Federal Circuit Interprets Claims ..	
1887	
1996 Patent Law Decisions of the Federal Circuit ..	
1675	
Federal Courts	
Congress, the Courts, and the Long Range Plan ..	
625	
Symposium: The Future of the Federal Courts ..	
263	
First Amendment	
<i>RENO v. ACLU</i>: Insulating the Internet, the First Amendment, and the Marketplace of Ideas ..	
1945	
Health Care	
Can HMOs Wield Market Power? Assessing Antitrust Liability in the Imperfect Market for Health Care Financing ..	
91	

INDEX-DIGEST

Administrative Law	
DEATH BY TEXTUALISM: THE NLRB's "INCIDENTAL TO PATIENT CARE" SUPERVISORY STATUS TEST FOR CHARGE NURSES	575
Attorney Attributes	
LAWYER, KNOW THYSELF: A REVIEW OF EMPIRICAL RESEARCH ON ATTORNEY ATTRIBUTES BEARING ON PROFESSIONALISM	1337
Civil Forfeiture	
UNITED STATES v. URSEY: DRUG OFFENDERS FORFEIT THEIR FIFTH AMENDMENT RIGHTS	1207
Class Action Settlements	
THE THEORY OF FEE REGULATION IN CLASS ACTION SETTLEMENTS	1429
Contracts	
THE MEANING OF VALUE IN CONTRACT DAMAGES AND CONTRACT THEORY	1
Copyright	
PRIVILEGED USE: HAS JUDGE BOUDIN SUGGESTED A Viable MEANS OF COPYRIGHT PROTECTION FOR THE NONLITERAL ASPECTS OF COMPUTER SOFTWARE IN <i>LOTUS DEVELOPMENT CORP. v. BORLAND INTERNATIONAL</i> ?	149
Drug Courier Profile	
THE DRUG COURIER PROFILE: IN PLANES, TRAINS, AND AUTOMOBILES; AND NOW IN THE JURY BOX	747
EEOC	
GRASPING THE INTANGIBLE: A GUIDE TO ASSESSING NONPECUNIARY DAMAGES IN THE EEOC ADMINISTRATIVE PROCESS	189
Electronic Cash	
STORED VALUE CARDS AND THE CONSUMER: THE NEED FOR REGULATION	1027
PIRACY, PRIVACY, AND PRIVATIZATION: FICTIONAL AND LEGAL APPROACHES TO THE ELECTRONIC FUTURE OF CASH	961
1996: SURVEY OF THE YEAR'S DEVELOPMENTS IN ELECTRONIC CASH AND THE LAWS AFFECTING ELECTRONIC BANKING IN THE UNITED STATES ..	
967	
How to Make a Mint: The Cryptography of Anonymous Electronic Cash ..	
1131	
How to Regulate Electronic Cash: An Overview of Regulatory Issues and Strategies ..	
1163	
Electronic Stored Value Payment Systems, Market Position, and Regulatory Issues ..	
1177	
Why Regulate Cybermoney? ..	
1075	
How Best to Guide the Evolution of Electronic Currency Law? ..	
1105	
Environmental Law	
Do Isolated Wetlands Substantially Affect Interstate Commerce? ..	
931	
Federal Circuit	
Government Contract Cases in the United States Court of Appeals for the Federal Circuit: 1996 in Review ..	
1807	
Native Americans and the Vaccine Act: Excluding Those We Found Here ..	
1935	
Patent Claim Interpretation After <i>Markman</i>: How the Federal Circuit Interprets Claims ..	
1887	
1996 Patent Law Decisions of the Federal Circuit ..	
1675	
Federal Courts	
Congress, the Courts, and the Long Range Plan ..	
625	
Symposium: The Future of the Federal Courts ..	
263	
First Amendment	
<i>RENO v. ACLU</i>: Insulating the Internet, the First Amendment, and the Marketplace of Ideas ..	
1945	
Health Care	
Can HMOs Wield Market Power? Assessing Antitrust Liability in the Imperfect Market for Health Care Financing ..	
91	

Helms-Burton Act	
THE HELMS-BURTON ACT: THE EFFECT OF INTERNATIONAL LAW ON DOMESTIC IMPLEMENTATION	1289
Information Commerce	
THE FUTURE OF INFORMATION COMMERCE UNDER CONTEMPORARY CONTRACT AND COPYRIGHT PRINCIPLES.....	1639
International Constitutionalism	
THE AUTHORITY OF A FOREIGN TALISMAN: A STUDY OF U.S. CONSTITUTIONAL PRACTICE AS AUTHORITY IN NINETEENTH CENTURY ARGENTINA AND THE ARGENTINE ELITE'S LEAP OF FAITH	1483
International Human Rights	
THE SHAME OF IT: GENDER-BASED TERRORISM IN THE FORMER YUGOSLAVIA AND THE FAILURE OF INTERNATIONAL HUMAN RIGHTS LAW TO COMPREHEND THE INJURIES	793
Internet	
CONFERENCE: THE DEVELOPMENT AND PRACTICE OF LAW IN THE AGE OF THE INTERNET	327
THE GLOBAL LEGAL INFORMATION NETWORK ("GLIN")	477
DEMYSTIFYING U.S. ENCRYPTION EXPORT CONTROLS	493
INTERNATIONAL HARMONIZATION IN ELECTRONIC COMMERCE AND ELECTRONIC DATA INTERCHANGE: A PROPOSED FIRST STEP TOWARD SIGNING ON THE DIGITAL DOTTED LINE	511
<i>RENO v. ACLU</i> : INSULATING THE INTERNET, THE FIRST AMENDMENT, AND THE MARKETPLACE OF IDEAS .	1945
Technology Update: Attorneys' Use of Computers in the Nation's 500 Largest Law Firms ..	537
Law Firm Integration	
ORGANIZATIONAL DETERMINANTS OF LAW FIRM INTEGRATION	669
Parental Rights	
FIT TO BE TIED: ON CUSTODY, DISCRETION, AND SEXUAL ORIENTATION ..	841
Pretrial Publicity	
PRETRIAL PUBLICITY IN CRIMINAL CASES OF NATIONAL NOTORIETY: CONSTRUCTING A REMEDY FOR THE REMEDLESS WRONG	39
Prisoners Rights	
<i>SANDIN v. CONNER</i> : LOWERING THE BOOM ON THE PROCEDURAL RIGHTS OF PRISONERS	897
Punitive Damage Reform	
RECALIBRATING THE SCALES OF JUSTICE THROUGH NATIONAL PUNITIVE DAMAGE REFORM	1573
RCO Doctrine	
THE RESPONSIBLE CORPORATE OFFICER, CRIMINAL LIABILITY, AND MENS REA: LIMITATIONS ON THE RCO DOCTRINE	543
Right to Present a Defense	
<i>MONTANA v. EGELHOFF</i> : VOLUNTARY INTOXICATION, MORALITY, AND THE CONSTITUTION	1245

THE AMERICAN UNIVERSITY LAW REVIEW

INDEX TO VOLUME 46

ARTICLES

THE AUTHORITY OF A FOREIGN TALISMAN: A STUDY OF U.S. CONSTITUTIONAL PRACTICE AS AUTHORITY IN NINETEENTH CENTURY ARGENTINA AND THE ARGENTINE ELITE'S LEAP OF FAITH, <i>Jonathan M. Miller</i>	1483
CONGRESS, THE COURTS, AND THE LONG RANGE PLAN, <i>Patrick E. Longan</i>	625
THE DRUG COURIER PROFILE: IN PLANES, TRAINS, AND AUTOMOBILES; AND NOW IN THE JURY BOX, <i>Mark J. Kadish</i>	747
FIT TO BE TIED: ON CUSTODY, DISCRETION, AND SEXUAL ORIENTATION, <i>Mark Strasser</i>	841
HOW BEST TO GUIDE THE EVOLUTION OF ELECTRONIC CURRENCY LAW, <i>Brian W. Smith, Ramsey J. Wilson</i>	1105
LAWYER, KNOW THYSELF: A REVIEW OF EMPIRICAL RESEARCH ON ATTORNEY ATTRIBUTES BEARING ON PROFESSIONALISM, <i>Susan Daicoff</i>	1337
THE MEANING OF VALUE IN CONTRACT DAMAGES AND CONTRACT THEORY, <i>David W. Barnes</i>	1
ORGANIZATIONAL DETERMINANTS OF LAW FIRM INTEGRATION, <i>Elizabeth Chambliss</i>	669
PRETRIAL PUBLICITY IN CRIMINAL CASES OF NATIONAL NOTORIETY: CONSTRUCTING A REMEDY FOR THE REMEDLESS WRONG, <i>Robert Hardaway, Douglas B. Tumminello</i>	39
RECALIBRATING THE SCALES OF JUSTICE THROUGH NATIONAL PUNITIVE DAMAGE REFORM, <i>Kimberly A. Pace</i>	1573
THE SHAME OF IT: GENDER-BASED TERRORISM IN THE FORMER YUGOSLAVIA AND THE FAILURE OF INTERNATIONAL HUMAN RIGHTS LAW TO COMPREHEND THE INJURIES, <i>Amy E. Ray</i>	793
STORED VALUE CARDS AND THE CONSUMER: THE NEED FOR REGULATION, <i>Mark E. Budnitz</i>	1027
THE THEORY OF FEE REGULATION IN CLASS ACTION SETTLEMENTS, <i>Bruce L. Hay</i>	1429
WHY REGULATE CYBERMONEY?, <i>David G. Oedel</i>	1075

COMMENTS

CAN HMOs WIELD MARKET POWER? ASSESSING ANTITRUST LIABILITY IN THE IMPERFECT MARKET FOR HEALTH CARE FINANCING, <i>Mark L. Glassman</i>	91
DEATH BY TEXTUALISM: THE NLRB'S "INCIDENTAL TO PATIENT CARE" SUPERVISORY STATUS TEST FOR CHARGE NURSES, <i>Edwin A. Keller, Jr.</i>	575
DO ISOLATED WETLANDS SUBSTANTIALLY AFFECT INTERSTATE COMMERCE?, <i>Elaine Bueschen</i>	931
THE FUTURE OF INFORMATION COMMERCE UNDER CONTEMPORARY CONTRACT AND COPYRIGHT PRINCIPLES, <i>Stephen P. Tarolli</i>	1639
GRASPING THE INTANGIBLE: A GUIDE TO ASSESSING NONPECUNIARY DAMAGES IN THE EEOC ADMINISTRATIVE PROCESS, <i>Douglas M. Staudmeister</i>	189
THE HELMS-BURTON ACT: THE EFFECT OF INTERNATIONAL LAW ON DOMESTIC IMPLEMENTATION, <i>W. Fletcher Fairey</i>	1289
PRIVILEGED USE: HAS JUDGE BOUDIN SUGGESTED A Viable MEANS OF COPYRIGHT PROTECTION FOR THE NONLITERAL ASPECTS OF COMPUTER SOFTWARE IN <i>LOTUS DEVELOPMENT CORP. v. BORLAND INTERNATIONAL?</i> , <i>David M. Maiorana</i>	149
<i>RENO v. ACLU</i> : INSULATING THE INTERNET, THE FIRST AMENDMENT, AND THE MARKETPLACE OF IDEAS, <i>Stephen C. Jacques</i>	1945
THE RESPONSIBLE CORPORATE OFFICE, CRIMINAL LIABILITY, AND MENS REA: LIMITATIONS ON THE RCO DOCTRINE, <i>Cynthia H. Finn</i>	543

NOTES

<i>MONTANA V. EGELOFF: VOLUNTARY INTOXICATION, MORALITY, AND THE CONSTITUTION,</i> Robert J. McManus	1245
<i>SANDIN V. CONNER: LOWERING THE BOOM ON THE PROCEDURAL RIGHTS OF PRISONERS,</i> Scott F. Weisman	897
<i>UNITED STATES V. URSERY: DRUG OFFENDERS FORFEIT THEIR FIFTH AMENDMENT RIGHTS,</i> Sean M. Dunn	1207

SYMPOSIUM

THE FUTURE OF THE FEDERAL COURTS	263
--	-----

CONFERENCE

THE DEVELOPMENT AND PRACTICE OF LAW IN THE AGE OF THE INTERNET	327
--	-----

ESSAYS

DEMYSTIFYING U.S. ENCRYPTION EXPORT CONTROLS, <i>James B. Altman, William McGlone</i>	493
ELECTRONIC STORED VALUE PAYMENT SYSTEMS, MARKET POSITION, AND REGULATORY ISSUES, <i>Gary W. Lorenz</i>	1177
THE GLOBAL LEGAL INFORMATION NETWORK ("GLIN"), <i>Nabil R. Adam, Burton I. Edelson, Tarek A. El-Ghazawi, Milton Halem, Konstantinos Kalpakis, Nick J. Kazura, Rubens Medina, Yelena Yesha</i>	477
HOW TO MAKE A MINT: THE CRYPTOGRAPHY OF ANONYMOUS ELECTRONIC CASH, <i>Laurie Law, Susan Sabet, Jerry Solinas</i>	1131
HOW TO REGULATE ELECTRONIC CASH: AN OVERVIEW OF REGULATORY ISSUES AND STRATEGIES, <i>Simon L. Lelieveldt</i>	1163
INTERNATIONAL HARMONIZATION IN ELECTRONIC COMMERCE AND ELECTRONIC DATA INTERCHANGE: A PROPOSED FIRST STEP TOWARD SIGNING ON THE DIGITAL DOTTED LINE, <i>Randy V. Sabet</i>	511
TECHNOLOGY UPDATE: ATTORNEYS' USE OF COMPUTERS IN THE NATION'S 500 LARGEST LAW FIRMS, <i>Rosemary Shiels</i>	537

SURVEY

1996: SURVEY OF THE YEAR'S DEVELOPMENTS IN ELECTRONIC CASH LAW AND THE LAWS AFFECTING ELECTRONIC BANKING IN THE UNITED STATES, <i>Richard L. Field</i>	967
---	-----

THE ELECTRONIC FUTURE OF CASH

PIRACY, PRIVACY, AND PRIVITIZATION: FICTIONAL AND LEGAL APPROACHES TO THE ELECTRONIC FUTURE OF CASH, <i>Walter A. Effross</i>	961
--	-----

A REVIEW OF RECENT DECISIONS OF THE UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

AREA SUMMARIES

1996 PATENT LAW DECISIONS OF THE FEDERAL CIRCUIT, <i>Michael L. Leetzow, Jeffrey A. Berkowitz, Kenneth E. Horton, Robert L. Burns, Lionel M. Lavenue, Maria L. Maebius</i>	1675
GOVERNMENT CONTRACT CASES IN THE UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT: 1996 IN REVIEW, <i>C. Stanley Dees, David A. Churchill</i>	1807

ARTICLES

PATENT CLAIM INTERPRETATION AFTER <i>MARKMAN</i> : HOW THE FEDERAL CIRCUIT INTERPRETS CLAIMS, <i>John M. Romary, Arie M. Michelsohn</i>	1887
NATIVE AMERICANS AND THE VACCINE ACT: EXCLUDING THOSE WE FOUND HERE, <i>James D. Leach</i>	1935

